

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

GREGORY JACKSON, §
§
Plaintiff, §
§
v. § CIVIL ACTION NO. H-06-2920
§
HARINDAR SIGNH, *et al.*, §
§
Defendants. §

ORDER

This court has reviewed the Memorandum and Recommendation of the United States Magistrate Judge signed on September 5, 2007, and the objections filed by the plaintiff, Gregory Jackson, and has made a *de novo* determination of the Magistrate Judge's recommended disposition. Rule 72(b), Fed. R. Civ. P.; 28 U.S.C. § 636(b)(1)(C); *United States v. Wilson*, 864 F.2d 1219 (5th Cir. 1989). This court finds that the Memorandum and Recommendation should be, and is, adopted as this court's Memorandum and Order. Accordingly, the defendants' motion to dismiss is granted in part and denied in part. The claims against the individual defendants are dismissed. The defendants' motion to dismiss the plaintiff's claims under 42 U.S.C. § 1983 based on retaliation under the First Amendment, violation of privacy rights under the Fourth Amendment, and violation of equal protection rights under the Fourteenth Amendment, is denied. The defendants' motion to dismiss the remaining claims, for conspiracy under 42 U.S.C. § 1985(3), for violations of the

FMLA, a claim under the Whistleblower Protection Act, 5 U.S.C. § 2302, for violations of the Texas Constitution, and for common-law negligent supervision, is granted.

SIGNED on September 25, 2007, at Houston, Texas.



Lee H. Rosenthal
United States District Judge